

1
2
3

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

**Stanley Zhong, Nan Zhong, and
SWORD (Students Who Oppose
Racial Discrimination),**

Plaintiffs,

v.

**The Regents of the University of
Washington,**

Defendant.

Case No. _____

COMPLAINT

JURY TRIAL DEMANDED

4 **COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND**
5 **DAMAGES**

6 **I. INTRODUCTION**

7 1. Plaintiffs Stanley Zhong (“Stanley”), Nan Zhong (“Nan”), and Students
8 Who Oppose Racial Discrimination (“SWORD”), represented by Nan
9 Zhong on behalf of its members and all others similarly situated,
10 collectively referred to as “Plaintiffs,” bring this civil rights action against
11 the University of Washington (“UW”, “Defendant”) for engaging in racially
12 discriminatory admissions practices that disadvantage highly qualified
13 Asian-American applicants, including Stanley and members of SWORD.

1 2. Despite Stanley’s exceptional academic achievements and remarkable
2 professional accomplishments at a young age, his application to the
3 undergraduate program at the University of Washington was rejected. This
4 result stands in stark contrast to his receipt of a full-time job offer from
5 Google for a position requiring a Ph.D. degree or equivalent practical
6 experience.

7 3. Stanley’s experience is emblematic of a broader pattern of racial
8 discrimination against highly qualified Asian-American applicants at UW.
9 These admissions practices violate the Fourteenth Amendment to the
10 United States Constitution, Title VI of the Civil Rights Act of 1964, and
11 RCW 49.60.400’s prohibition on racial discrimination in public education.

12 **II. JURISDICTION AND VENUE**

13 4. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331,
14 as this action arises under the Constitution and laws of the United States,
15 including Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d.

16 5. Venue is proper in this district under 28 U.S.C. § 1391(b) because a
17 substantial part of the events or omissions giving rise to the claim
18 occurred in this district.

1 III. PARTIES

2 A. Plaintiffs

3 A1. Co-plaintiff Stanley Zhong

4 6. Co-plaintiff Stanley Zhong, born in 2005, is an Asian-American residing in
5 California. Stanley's parents are first-generation immigrants to the United
6 States from China. Stanley Zhong is a US citizen.

7 7. As a self-taught programmer, Stanley has distinguished himself in various
8 coding contests, ranking highly enough to receive an invitation from
9 Google for a full-time job interview in 2019, without Google realizing he
10 was only 13 years old. Upon disclosure of his age, the interview was
11 canceled due to Google's policy against hiring minors (See [Exhibit 1](#) for
12 email exchanges with a Google recruiter).

13 8. Competing against top professionals from around the world, Stanley
14 advanced to the Google Code Jam Coding Contest semi-final in 2021
15 (See [Exhibit 2](#)).

16 9. Competing against top professionals from around the world, Stanley
17 advanced to the Meta (Facebook) Hacker Cup semi-final in 2023 (See
18 [Exhibit 3](#)).

19 10. Stanley won the 2nd place in MIT (Massachusetts Institute of Technology)
20 Battlecode's global high school division twice (2nd place and 1st place in

1 the US, respectively) (See [Exhibit 4](#)). He was invited to MIT with expenses
2 paid.

3 11. Stanley won the 2nd Place in CMU (Carnegie Mellon University)
4 cybersecurity competition picoCTF (See [Exhibit 5](#)). He was invited to CMU
5 with expenses paid.

6 12. Stanley won the 6th place in Stanford ProCo (See [Exhibit 6](#)).

7 13. Stanley advanced to the USA Computing Olympiad (USACO) Platinum
8 Division (See [Exhibit 7](#)).

9 14. In April 2020, after seeing an NPR news story that the unemployment
10 office's system programmed in COBOL was not keeping up with the
11 workload caused by COVID (See [Exhibit 8](#)), Stanley taught himself
12 COBOL, sent his sample code on GitHub (See [Exhibit 9](#)) to COBOL
13 Cowboys featured in the news story, and volunteered to help. Mr. Bill
14 Hinshaw, COBOL Cowboys CEO, graciously called Stanley and offered
15 encouraging words (although he did mention putting a 14-year-old in front
16 of his clients would probably freak them out). (See [Exhibit 10](#) for the email
17 exchange with Mr. Bill Hinshaw to set up the call.)

18 15. After the attempt to volunteer for COBOL Cowboys fell through, Stanley
19 saw news reports about surging demand for e-signing services caused by
20 the COVID lockdown. Stanley was unhappy that DocuSign didn't provide

1 any relief. So, he launched an unlimited free e-signing service named
2 RabbitSign in 2021 (See [Exhibit 11](#)).

3 16. Built on Amazon Web Services (AWS), RabbitSign was designed and
4 implemented so well that AWS's Well-Architected Review concluded that it
5 was "one of the most efficient and secure accounts" they'd ever reviewed
6 (See [Exhibit 12](#)).

7 17. To showcase RabbitSign's exemplary use of AWS Serverless and
8 compliance services, AWS decided to feature it in a case study—a
9 prestigious recognition that is notoriously difficult to attain, even for
10 seasoned professionals (See [Exhibit 13](#)).

11 18. Shortly before Stanley turned 18, five randomly selected full-time Google
12 engineers, who were specifically trained and qualified to evaluate
13 candidates, devoted no less than ten hours collectively to evaluating
14 Stanley's skills, including his technical expertise and soft skills, such as
15 teamwork. Based solely on their assessments, without any external
16 influence, these Google engineers concluded that Google should hire
17 Stanley for an L4 position, which requires a Ph.D. degree or equivalent
18 practical experience. Consequently, Google made an offer for a full-time
19 L4 position to Stanley in September 2023, shortly after Stanley turned 18
20 (See [Exhibit 14](#)).

1 19. Google's compensation structure is tied to the level of its employees'
2 positions, creating a natural disincentive to over-assess an employee's
3 qualifications.

4 20. Mr. Dan Bloomberg, a longtime Google employee who served on the
5 hiring committees for 18 years, has agreed to testify regarding Google's
6 interview process when this lawsuit proceeds to trial.

7 21. In January 2025, Stanley received his performance evaluation as a
8 Google employee for the entirety of 2024, with a rating and manager
9 assessment indicating that he fully met the expectations for his position at
10 Google and demonstrated a strong growth trajectory.

11 22. Because of his groundbreaking work to provide the world's only unlimited
12 free HIPAA-compliant e-signing service to help lower America's healthcare
13 cost, Stanley received an inbound interview request from [Viewpoint with](#)
14 [Dennis Quaid](#), a series of short documentaries on innovations aired on
15 CNBC, Fox Business, Bloomberg, and public TV stations across the US.
16 Their past guests included President George H.W. Bush, Secretary Colin
17 Powell, and Fortune 500 CEOs. (See [Exhibit 15](#) for the industry news
18 coverage for RabbitSign's free HIPAA-compliant e-signing. See [Exhibit 16](#)
19 for the episode of [Viewpoint with Dennis Quaid](#) featuring RabbitSign and
20 Stanley.)

21 23. Stanley's high school grade point average was 3.97 (unweighted) and
22 4.42 (weighted) (See [Exhibit 17](#)).

1 24. Although Stanley's high school does not publish individual student
2 rankings based on grade point average, he is confirmed to be within the
3 top 9% of his class, as he qualified for the University of California's ("UC")
4 "Eligibility in the Local Context" (ELC). (See [Exhibit 18](#) for Stanley's ELC
5 qualification.) ELC guarantees admission to a UC campus for California
6 high school students who rank in the top 9% of their class, as determined
7 by their GPA in UC-approved coursework completed in the 10th and 11th
8 grades.

9 25. U.S. News and World Report ranks Stanley's high school (Henry Gunn
10 High School) #14 in California and #135 nationally (See [Exhibit 19](#)).

11 26. Niche ranks Stanley's high school (Henry Gunn High School) #1 best
12 public high school in San Francisco Bay Area and #4 best public high
13 school in California (See [Exhibit 20](#)).

14 27. Stanley achieved a maximum PSAT score without any preparation (See
15 [Exhibit 21](#)).

16 28. Stanley scored 1590 (out of 1600) on the SAT with only a few nights of
17 self study without any paid test prep (See [Exhibit 21](#) as well). He took the
18 SAT only once.

19 29. Stanley was a National Merit Scholarship finalist (See [Exhibit 22](#)).

20 30. While in high school, Stanley participated in and led numerous
21 extracurricular and volunteer activities.

- 1 31. Stanley served as a founding officer and president of the competitive
2 programming club at his high school (See [Exhibit 23](#)).
- 3 32. Stanley co-founded and served as the 2nd president of a nonprofit named
4 [OpenBrackets](#), which brought free coding lessons to 500+ kids in
5 underserved communities in California, Washington, and Texas over 2
6 years (See [Exhibit 24](#)). It received positive feedback from Stackoverflow
7 co-founder, Mr. Jeff Atwood.
- 8 33. Because of his work at OpenBrackets, Stanley received the highest level
9 of the President's Volunteer Service Award (See [Exhibit 25](#)).
- 10 34. Stanley's college application essay was pretty much captured in the
11 Viewpoint interview mentioned supra. It discussed why he created
12 RabbitSign, how he overcame rejections to eventually find a partner to
13 provide free HIPAA-compliant e-signing to help lower America's healthcare
14 cost, and how RabbitSign is the first Activism Corporation created to
15 counter corporate greed.
- 16 35. For enrollment in fall 2023, Stanley applied to the undergraduate
17 Computer Science program at the University of Washington. His
18 application was rejected.
- 19 36. In direct connection with UW's rejection of his applications, Stanley Zhong
20 suffered emotional distress.

1 37. Stanley's story was reported in national news in October 2023 (See
2 [Exhibit 26](#)) and cited in a congressional hearing in September 2023 (See
3 [Exhibit 27](#)).

4 38. After Stanley's story hit the news in October 2023, multiple college
5 admission counselors examined his application, including his essay. None
6 of them could figure out a legitimate reason why Stanley was rejected.
7 Some of them have offered to testify as expert witnesses when this lawsuit
8 proceeds to trial.

9 39. Stanley was denied the opportunity to compete for admission to UW on
10 equal footing with other applicants on the basis of race or ethnicity due to
11 UW's discriminatory admissions policies and practices.

12 40. Stanley is ready and able to apply to UW when it ceases its intentional
13 discrimination against Asian Americans.

14 41. Stanley, Nan, and SWORD reached out to multiple legal resources and
15 entities for representation. However, these entities either declined to take
16 the case or failed to respond. Consequently, Stanley is compelled to
17 represent himself as a pro se litigant.

18 **A2. Co-plaintiff Nan Zhong**

19 42. Co-plaintiff, Nan Zhong, an Asian-American resident of California, is
20 Stanley Zhong's father.

1 43. A first-generation immigrant from China, Nan has a direct and personal
2 stake in this matter due to the discriminatory practices of UW's admissions
3 process.

4 44. The 2024 decision of the Second Circuit Court of Appeals in *Chinese*
5 *American Citizens Alliance of Greater New York (CACAGNY) v. Adams*,
6 116 F.4th 161, affirms that an "equal protection claim can be asserted by
7 individuals alleging they suffered harm from the discriminatory policy or
8 law, as well as other individuals (such as a parent or guardian) or
9 organizations that also have standing to sue."

10 45. Nan suffered emotional distress as a direct result of UW's discriminatory
11 policies, thereby establishing his standing to bring this claim.

12 46. Nan's children intend to apply for admission to UW but will be denied the
13 opportunity to compete on equal footing with other applicants due to UW's
14 discriminatory admissions policies. As a result, they may face rejection
15 based on race or ethnicity rather than merit. These personal impacts
16 further establish Nan's standing to bring this claim.

17 47. Beyond personal impact, Nan is acutely aware of the chilling effect that
18 Asian-American students face when asserting their legal rights in college
19 admissions. Public hostility toward such efforts is well-documented,
20 particularly on college campuses.

1 48. For example, during the *SFFA v. Harvard* trial, widespread protests
2 erupted against SFFA's challenge to race-conscious admissions (See
3 [Exhibit 28](#)). Even after the Supreme Court ruled against Harvard,
4 then-president Claudine Gay responded with open defiance, [stating](#), "We
5 will comply with the court's decision. But it doesn't change our values."
6 (See [Exhibit 29](#).) While the first half of her statement reflects legal
7 necessity, the latter half unmistakably signals defiance. Notably, following
8 the Supreme Court's ruling in SFFA, not a single Harvard administrator
9 apologized for the harm their policies inflicted on Asian-American
10 applicants.

11 49. Academics such as Professor Janelle Wong and Professor Viet Thanh
12 Nguyen publicly [asserted](#) that no Asian-American had suffered
13 discrimination in the college admissions process, misleading the public
14 with statements like, "Not a single Asian-American student has testified
15 that they faced discrimination in the high-profile Harvard case." (See
16 [Exhibit 30](#).) Such assertions are demonstrably inaccurate and serve to
17 suppress legitimate grievances. On November 4, 2024, Nan challenged
18 both Professor Janelle Wong and Professor Viet Thanh Nguyen to a public
19 debate. Neither replied as of the filing of this lawsuit.

20 50. This hostile climate has a direct, suppressive effect on potential plaintiffs.
21 Many Asian-American applicants rejected by colleges initially expressed
22 interest in joining SWORD's lawsuit. However, after spending just a few
23 months on college campuses as freshmen, most withdrew.

1 51. A particularly striking example occurred at a panel discussion following a
2 screening of the MSNBC documentary *Admission Granted* in San
3 Francisco on May 9, 2024. The reaction of the audience, a few hundred
4 people strong, vividly illustrated this bias. When the moderator introduced
5 a Harvard student advocating for race-conscious admissions, the room
6 erupted in thunderous applause and cheers. In contrast, the
7 Asian-American student whose case launched the SFFA lawsuit received
8 only sparse clapping—approximately a quarter of which likely came from
9 Nan alone.

10 52. This pervasive social hostility—manifesting in microaggressions and overt
11 hostility—creates a profound chilling effect that discourages
12 Asian-American students from challenging discriminatory policies,
13 effectively silencing those who have been harmed. It is therefore
14 reasonable to infer that numerous Asian-American applicants, either
15 already harmed by UW’s admissions practices or anticipating future
16 discrimination, remain silent due to legitimate concerns about retaliation or
17 social pressure. Under the chilling effects doctrine, which recognizes that
18 individuals may refrain from asserting their rights due to fear of reprisal,
19 Nan’s standing to sue is further reinforced.

20 53. Stanley, Nan, and SWORD reached out to multiple legal resources and
21 entities for representation. However, these entities either declined to take
22 the case or failed to respond. Consequently, Nan is compelled to
23 represent himself as a pro se litigant.

1 A3. Co-plaintiff Students Who Oppose Racial Discrimination (SWORD)

2 54. Co-plaintiff, Students Who Oppose Racial Discrimination (“SWORD”), is a
3 voluntary membership organization focused on stopping racial
4 discrimination in college admissions through litigations. It was established
5 in October 2024 by people harmed and outraged by flagrant racial
6 discrimination in college admissions.

7 55. SWORD is a coalition comprising prospective applicants to higher
8 education institutions, individuals who were denied admission, their
9 parents, and supporters of the organization’s mission to eliminate racial
10 discrimination in higher education admissions.

11 56. Nan Zhong is the President of SWORD.

12 57. SWORD’s website is <https://sword.education>.

13 58. SWORD has at least one Asian-American member who is currently in high
14 school and intends to apply for admission to UW (“Future Applicants”).

15 59. Future Applicants will be denied the opportunity to compete for admission
16 to UW on equal footing with other applicants on the basis of race or
17 ethnicity due to UW’s discriminatory admissions policies. As a result,
18 Future Applicants may be denied admission to UW because of these
19 discriminatory policies and practices.

1 60. SWORD has at least one Asian-American member whose children either
2 intend to apply for admission to UW or applied for but were denied
3 admission to UW in recent years (“Parents”).

4 61. Parents’ children were or will be denied the opportunity to compete for
5 admission to UW on equal footing with other applicants on the basis of
6 race or ethnicity due to UW’s discriminatory admissions policies. As a
7 result, Parents’ children were or may be denied admission to UW because
8 of these discriminatory policies and practices. Consequently, Parents in
9 Washington were or may be forced to pay higher out-of-state tuition for
10 their children.

11 62. Under *Hunt v. Washington State Apple Advertising Commission*, 432 U.S.
12 333 (1977), SWORD qualifies for associational standing because 1)
13 SWORD has members who have standing to sue UW themselves, 2) this
14 lawsuit is germane to SWORD’s purpose, and 3) neither the claim
15 asserted nor the relief requested requires the participation of individual
16 members in the lawsuit.

17 63. Stanley is not a member of SWORD.

18 64. The emotional toll experienced by Stanley and Nan exemplify the broader
19 emotional and potential economic harms associated with racially
20 discriminatory admissions practices by UW. Such policies do not merely
21 affect statistical representation; they impose real-world consequences on
22 a large group of individual applicants.

1 65. Stanley, Nan, and SWORD reached out to multiple legal resources and
2 entities for representation. However, these entities either declined to take
3 the case or failed to respond. Consequently, as President of SWORD, Nan
4 is compelled to represent the organization as a pro se litigant.

5 **B. Defendant**

6 66. Defendant is a public university system in the State of Washington, subject
7 to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et. seq.*

8 **IV. FACTUAL ALLEGATIONS**

9 **A. Asian Applicants Receiving Discriminatory Results**

10 67. For undergraduate enrollment in fall 2023, Stanley applied to UW. Despite
11 his extraordinary qualifications, he was rejected. This outcome defies
12 common sense and contradicts expert assessments of his application. As
13 the Supreme Court noted in *Miller v. Johnson*, 515 U.S. 900,901 (1995),
14 "bizarreness" can serve as "persuasive circumstantial evidence that race
15 for its own sake...was a legislature's dominant and controlling rationale."
16 Similarly, the stark disparity between Stanley's qualifications and the UW
17 admissions decisions raises serious concerns about the role of race in
18 UW's admissions process. This striking incongruity strongly suggests that
19 UW's admissions policies are being applied in a discriminatory fashion.

20 68. Plaintiffs believe and allege that Stanley's rejection by UW was not based
21 on his qualifications but on his race, as an Asian American.

1 **B. Widespread Anti-Asian Discrimination at Elite Universities**

2 69. After the state [audit](#) in 1987 (See [Exhibit 31](#)), University of California
3 Berkeley Chancellor Ira Michael Heyman publicly [apologized](#) in 1989 for
4 admissions policies that led to a decline in Asian-American undergraduate
5 enrollment (See [Exhibit 32](#)).

6 70. On September 22, 2016, *Inside Higher Education* [released](#) a survey of
7 admission officers. It revealed 42% of admission officers from private
8 colleges and 39% of admission officers from public colleges believe that
9 colleges hold Asian-American applicants to a higher standard (See [Exhibit](#)
10 [33](#)).

11 71. On May 25, 2016, Dr. Michele Hernandez, former Dartmouth admission
12 officer, [revealed](#) on *Huffington Post* “how even the so-called ‘holistic
13 process’ can discriminate against Asian students” and how Ivy League
14 college admission officers often use racial stereotypes to discriminate
15 against Asian-American applicants (See [Exhibit 34](#)).

16 72. Harvard openly gave preferential treatment to some racial groups at the
17 expense of Asian-American applicants until its practice was ruled illegal by
18 the Supreme Court in *SFFA v. Harvard* in 2023. Notably, following the
19 Supreme Court’s ruling in SFFA, not a single Harvard administrator
20 apologized for the harm their policies inflicted on Asian-American
21 applicants.

1 73. As documented in the [SFFA's legal complaint](#) against Harvard (page 60),
2 Asian-American applicants and their families know that they are being
3 discriminated against by elite universities (See [Exhibit 35](#)).

4 74. As documented in the [SFFA's legal complaint](#) against Harvard (page 57),
5 college counselors acknowledge discrimination against Asian-Americans
6 at elite universities (See [Exhibit 36](#)).

7 75. It is well documented that many Asian-American applicants attempt to
8 appear "less Asian" on their college applications to avoid potential bias
9 (See [Exhibit 37](#)).

10 76. Admission officers at elite universities have described Asian-American
11 applicants using derogatory racial stereotypes, such as labeling them as
12 "yet another textureless math grind" (See [Exhibit 39](#)).

13 77. Evidence also shows that elite universities were aware of discriminatory
14 practices but often ignored or denied the issue until confronted with legal
15 challenges. For instance, in 2006, Jian Li, an Asian-American applicant,
16 filed a formal complaint against Princeton University for racial
17 discrimination in admissions. Following this action, Princeton's admission
18 rate for Asian-American students rose from 14.7% in 2007 to 25.4% in
19 2014 (See [Exhibit 38](#)). Similarly, after SFFA sued Harvard in 2015, the
20 percentage of Asian-American admits increased from 17% in 2014 to 22%
21 in 2016 (See [Exhibit 38](#) as well).

1 78. These patterns demonstrate a troubling reality: institutions were capable
2 of increasing Asian-American enrollment with little change in applicant
3 qualifications, suggesting prior suppression of Asian admissions through
4 discriminatory policies. This raises legal concerns about UW's own
5 admissions practices. Legal scrutiny is warranted to uncover the extent of
6 UW's awareness of and complicity in similar practices that have
7 disadvantaged highly qualified Asian-American applicants.

8 79. Compiling his Pulitzer Prize-winning reporting into a book titled *The Price*
9 *of Admission*, Daniel Golden documented multiple highly qualified Asian
10 applicants rejected by the University of California, Harvard, Yale,
11 Princeton, Brown, Columbia, Stanford, and Massachusetts Institute of
12 Technology. For example, UCLA rejected Stanley Park, a Korean
13 American student who faced serious adversity (single immigrant parent
14 with cancer and no college degree), while accepting non-Asian students
15 with SAT scores 520 and 560 points lower. (See [Exhibit 39](#) for the relevant
16 excerpt from *The Price of Admission*.)

17 80. In 2003, Mr. John Moores, then chairman of the UC Board of Regents,
18 accused UC's flagship campus of "blatantly" discriminating against
19 Asian-Americans (See [Exhibit 40](#)).

20 81. Following the implementation of a holistic review system, UCLA prohibited
21 faculty members on its Admissions Committee from accessing admissions
22 data. In response, Professor Tim Groseclose invoked whistleblower

1 protections and resigned from UCLA in protest (See [Exhibit 41](#)). In
2 *Cheating: An Insider's Report on the Use of Race in Admissions at UCLA*,
3 Professor Groseclose described how then-UCLA Chancellor Norm
4 Abrams explicitly cited raising African American enrollment as the
5 motivation behind adopting holistic admissions. In addition, Professor
6 Groseclose's statistical analysis showed that, for a group of applicants
7 receiving the same scores from their initial readers, UCLA admitted 55%
8 poor African Americans, 38% rich African Americans, 23% poor North
9 Asians and 18% rich North Asians. Note that *rich* African Americans were
10 admitted much more frequently than *poor* North Asians. UC never
11 disputed the accuracy of Professor Groseclose's account. (See [Exhibit 42](#)
12 for excerpts from Professor Tim Groseclose's book *Cheating*.)

13 82. In a study commissioned by UCLA, only later obtained through public
14 records requests, sociology professor Robert Mare [documented](#) a
15 consistent pattern of anti-Asian discrimination in admissions at UCLA. His
16 report said, "'North Asian' (Chinese, Japanese, Korean, Indian/Pakistani
17 American) applicants receive somewhat less favorable holistic read scores
18 than applicants in other ethnic identity groups who are otherwise similar in
19 measured academic qualifications, personal characteristics, and
20 measured challenges and hardships." It further indicated that "among
21 otherwise equivalent applicants, whites, African Americans and Latinos
22 are overrepresented among those admitted, and Asian-American
23 applicants are underrepresented." Additionally, the report noted that "the

1 disadvantages of Asian applicants occur, with varying magnitudes,
2 throughout the admissions process.” (See Exhibit 56 in case 2:25-cv-0495
3 DJC CSK in the U.S. District Court for the Eastern District of California).

4 83. After Dr. Jennifer Lucero took over UCLA medical school admissions in
5 June 2020, the number of Asian matriculants at UCLA medical school
6 declined from 84 to 55 from 2019 through 2022, a drop of 35% (See
7 [Exhibit 43](#)). Precipitous changes in admission rates strongly suggest
8 deliberate conscious race-based directives.

9 **C. Deep-Rooted Culture of Identity Over Academics and Legal Evasion**
10 **in Higher Education**

11 84. UW’s [webpage](#) claims that, “At the University of Washington, diversity,
12 equity, inclusion and belonging are integral to excellence.” (See [Exhibit](#)
13 [44](#).) However, UW’s rejection of highly qualified applicants like Stanley
14 suggests a departure from genuine academic excellence in favor of
15 ideological priorities.

16 85. In 2023, Brown University’s Medical School prioritized Diversity, Equity,
17 and Inclusion (DEI) over clinical skills in its [faculty promotion criteria](#),
18 raising concerns about the potential impact on patient care quality (See
19 [Exhibit 45](#)).

1 86. Mr. Steven Dubinett, the dean of UCLA medical school, directs a center
2 that houses a race-based fellowship. Its web page was deleted after
3 media exposure (See [Exhibit 46](#)), indicating awareness of its illegality.

4 87. A New York Times [opinion piece](#) by a former UC admissions reader
5 shared her detection of “unspoken directives”, questioned whether
6 “Proposition 209 serve(s) merely to push race underground” and
7 described the admission reading process as “an extreme version of the
8 American non-conversation about race.” (See [Exhibit 47](#).)

9 88. Following public outcry over the Varsity Blues scandal, California state
10 lawmakers commissioned an audit of the University of California’s
11 admissions practices. The California State Auditor’s 2020 [report](#) found that
12 UC “has allowed for improper influence in admissions decisions, and it has
13 not treated applicants fairly or consistently.” Specifically, the audit revealed
14 that UC Berkeley and UCLA “admitted thousands of applicants whose
15 records demonstrated that they were less qualified than other applicants
16 who were denied admission.” (See [Exhibit 48](#)).

17 89. In a public [talk](#) to a large audience, Professor Erwin Chemerinsky, the
18 Dean of the University of California Berkeley Law School, admitted that his
19 school systematically considers race in its internal decision-making and
20 actively conceals this practice (See [Exhibit 49](#)). As evidenced in the video,
21 when discussing the consideration of race in faculty hiring, Mr.
22 Chemerinsky described and preached the “unstated Affirmative Action”

1 practiced at UC as follows: “Don’t say that [you are considering the
2 candidate’s race]. You can think it. You can vote it... Don’t ever articulate
3 that is what you are doing.” He also said “If I’m ever deposed, I’m going to
4 deny I said this to you.” His statements reveal deliberate intent by senior
5 university administrators to actively conceal their use of race in
6 decision-making.

7 90. In November 2022, *The New Yorker* staff writer Jay Caspian Kang [quoted](#)
8 Mr. Erwin Chemerinsky as follows:

9 “What colleges and universities will need to do after affirmative action
10 is eliminated is find ways to achieve diversity that can’t be
11 documented as violating the Constitution,” Mr. Chemerinsky stated.

12 “So they can’t have any explicit use of race. They have to make sure
13 that their admissions statistics don’t reveal any use of race. But they
14 can use proxies for race.” (See [Exhibit 49](#) as well.)

15 This statement is a clear acknowledgment that university officials intend to
16 bypass constitutional and legal prohibitions on racial discrimination by
17 employing indirect methods—namely, “proxies for race”—to achieve the
18 same racial outcomes that explicit race-based policies once facilitated.

19 91. The use of racial proxies to achieve racial balancing is unconstitutional. In
20 *Parents Involved in Community Schools v. Seattle School District No. 1*,
21 551 U.S. 701, 743 (2007), the Supreme Court held that racial balancing is
22 not a compelling state interest and that the government may not achieve

1 racial diversity through indirect methods that amount to race-conscious
2 decision-making. Similarly, in *SFFA v. Harvard*, 600 U.S. 181 (2023), the
3 Supreme Court reaffirmed that admissions policies designed to achieve
4 racial diversity by using proxies for race are equally unconstitutional.

5 92. The statements made by Mr. Chemerinsky provide strong circumstantial
6 evidence that senior university administrators are knowingly and
7 deliberately structuring its admissions policies to evade legal prohibitions
8 on racial discrimination.

9 93. As a law professor, Mr. Chemerinsky must know what he was preaching is
10 illegal. By his own admission, he clearly knew it was illegal. Yet, he
11 preached it with a sense of pride and braggadocio. It is worth emphasizing
12 that Mr. Chemerinsky is the Dean, the top administrator, of UC Berkeley
13 Law School. Mr. Chemerinsky's statements happened to be in a public
14 talk, happened to be captured in video, and happened to be shared on the
15 web. What is visible to the public must be only the tip of the iceberg. It is
16 reasonable to infer the preaching and practice of "unstated Affirmative
17 Action" is widespread in universities' admissions and hiring process, which
18 lacks transparency and accountability.

19 94. Senior university administrators not only preach and practice "unstated
20 Affirmative Action", they also actively [persecute](#) those who advocate for
21 academic excellence over identity politics. From 2022 to 2024, Professor
22 Perry Link, Chancellorial Chair for Teaching Across Disciplines at UC

1 Riverside and a leading authority on modern and contemporary Chinese
2 literature and culture, faced disciplinary action after expressing concerns
3 during a faculty search committee meeting about prioritizing a Black
4 candidate's race over qualifications. His comments, which he stated were
5 intended to caution against elevating race as the "overriding criterion,"
6 were reported to university officials without his knowledge. Professor Link
7 was subsequently removed from the search committee and subjected to a
8 prolonged disciplinary process, including hearings resembling a trial,
9 where termination was suggested as a penalty. Although a faculty
10 committee unanimously found him innocent of the charges, Chancellor
11 Kim Wilcox issued a formal [letter of censure](#), overriding the committee's
12 recommendation (See [Exhibit 50](#)). Professor Perry Link was accused of
13 making racist comments during the hiring process but was not informed of
14 the specific remarks deemed problematic until nearly a year later. UC
15 Riverside eventually acquitted him of all charges but allegedly threatened
16 to penalize him if he spoke publicly about the ordeal. Despite UC's threats,
17 Professor Link, a distinguished scholar at age 80, courageously made the
18 [incident](#) public (See [Exhibit 51](#)). If UC has attempted to silence a
19 prominent tenured professor, it is reasonable to infer the tremendous
20 pressure any professor, non-tenured administrator or staff would face if
21 they were to speak up. Therefore it is reasonable to infer that numerous
22 similar cases exist at UC and other universities in which victims chose to
23 remain silent, fearing retaliation that could jeopardize their careers and

1 livelihoods. This incident highlights senior university administrators'
2 preoccupation with immutable characteristics such as race, in clear
3 violation of the Constitution. It also demonstrates the great lengths to
4 which they go to silence any dissidents or whistleblowers. Furthermore, it
5 clearly illustrates the importance of exercising the chilling effect doctrine
6 when it comes to the legal standing in lawsuits concerning universities'
7 student admissions and faculty hiring.

8 95. Professor Perry Link has agreed to testify when the lawsuit filed by
9 Stanley, Nan and SWORD against the UC (Case No. 2:25-cv-0495 DJC
10 CSK in the U.S. District Court for the Eastern District of California) goes to
11 trial.

12 96. Both the University of Washington and the University of California are
13 legally prohibited by state law from using racial preferences in student
14 admissions. Nevertheless, both institutions disagreed with the Supreme
15 Court's ruling on *SFFA v. Harvard* (See [Exhibit 52](#)), implying their desire to
16 circumvent the ban. Reports by Professor Robert Mare and the California
17 State Auditor uncovered major issues in UC's admissions practices,
18 warranting the same level of scrutiny for UW. UC's actions strongly
19 suggest how UW may be operating. This raises concerns that UW is
20 following Mr. Chemerinsky's advice to "just do it without leaving any paper
21 trail." In fact, that's exactly what happened in UW's psychology
22 department's hiring in 2023 referenced *infra*. Such tactics could make it
23 difficult for Plaintiffs to obtain direct evidence of discriminatory intent

1 against Asian-American applicants. In this context, Plaintiffs' claims should
2 be assessed based on whether UW's admissions policies create a
3 discriminatory impact on Asian-American applicants, either individually or
4 collectively. As Mr. Chemerinsky himself acknowledged, statistical analysis
5 is key to identifying racial discrimination in admissions. Plaintiffs intend to
6 conduct such an analysis during the discovery phase of this lawsuit.

7 97. Studies comparing the academic qualifications of admitted students by
8 race fail to fully capture the extent of racial discrimination faced by
9 Asian-American applicants. By rejecting highly qualified Asian-American
10 applicants like Stanley, UW artificially narrows the academic qualification
11 gap between admitted students of different racial groups. As a matter of
12 mathematical fact, the more highly qualified Asian-American applicants
13 the university rejects, the smaller the observed qualification gap among
14 admitted students becomes. To accurately assess the extent of racial
15 discrimination, it is necessary to compare not only the admitted
16 Asian-American students but also the rejected Asian-American applicants
17 against admitted students from other racial groups. However, limitations in
18 the publicly available UW admissions data currently prevent such an
19 analysis. The plaintiffs intend to pursue this essential data comparison
20 during the discovery phase of this lawsuit.

1 D. UW's Motive and Intent for Racial Balancing its Student Body

2 98. On August 1, 2023, following the Supreme Court's ruling in *SFFA v.*
 3 *Harvard*, UW's Presidential Blog published an article titled *Affirmative*
 4 *action ruling won't change our values or our mission*. It stated that the
 5 ruling "created much disappointment and concern" (See [Exhibit 52](#)). This
 6 statement openly signaled the university's continued desire to consider
 7 race in admissions, despite the Court's decision.

8 99. The Equal Protection Clause of the Fourteenth Amendment prohibits
 9 states from denying any person "the equal protection of the laws." The
 10 Clause's "central purpose is to prevent the States from purposefully
 11 discriminating between individuals on the basis of race." See *Shaw v.*
 12 *Reno*, 509 U.S. 630, 642 (1993). Thus, a state law or policy that
 13 discriminates on the basis of race is subject to strict scrutiny, regardless of
 14 its intended beneficiaries. See *Adarand Constructors, Inc. v. Peña*, 515
 15 U.S. 200, 227 (1995).

16 100. As the Supreme Court noted in *SFFA v. Harvard*, 143 S. Ct. 2141,
 17 2169 (2023), "College admissions are zero-sum. A benefit provided to
 18 some applicants but not to others necessarily advantages the former
 19 group at the expense of the latter." The distinction between preferential
 20 treatment and adverse impact is illusory—both actions are inherently
 21 racially motivated and inseparable, representing merely different ways of
 22 describing the same net discriminatory conduct. In a zero-sum situation,
 23 when assessing whether a policy constitutes racial discrimination, courts

1 should focus on the presence of racial intent, regardless of whether that
2 intent manifests as preferential treatment or adverse impact. As the
3 Supreme Court affirmed in *SFFA v. Harvard*, “[W]hat cannot be done
4 directly cannot be done indirectly. The Constitution deals with substance,
5 not shadows,” and the prohibition against racial discrimination is “levelled
6 at the thing, not the name.” *Cummings v. Missouri*, 71 U.S. (4 Wall.) 277,
7 325, 18 L.Ed. 356 (1867).

8 101. RCW 49.60.400 explicitly states: “*The state shall not discriminate*
9 *against, or grant preferential treatment to, any individual or group on the*
10 *basis of race, sex, color, ethnicity, or national origin in the operation of*
11 *public employment, public education, or public contracting.*” This provision
12 unequivocally prohibits both adverse discrimination and preferential
13 treatment on the basis of these characteristics.

14 **E. UW’s Action for Racial Balancing its Hiring and Admissions**

15 102. In addition to its evident motive and intent for racial balancing, UW
16 possesses the means and opportunity to manipulate the racial
17 composition of its student body under its current “holistic” admissions
18 framework, which lacks transparency, independent third-party oversight
19 and accountability. Indeed, UW’s intent is matched by its actions.

20 103. A university policy that amounts to racial balancing is “patently
21 unconstitutional.” *Grutter v. Bollinger*, 539 U.S. 306, 329 (2003). Racial
22 balancing seeks to ensure a specified percentage of a racial group within

1 the student body merely due to race or ethnicity. *Id.* Courts have
2 consistently rejected proportional representation as a constitutional
3 justification for race-based admissions. See *Id.* at 343.

4 104. Admissions and hiring are inherently interconnected and inseparable in
5 the context of racial discrimination within educational institutions. Faculty
6 and administrators play a pivotal role in shaping academic standards,
7 mentoring students, and influencing the culture and policies of a university,
8 including admissions criteria and practices. A racially biased hiring
9 process can create and perpetuate a discriminatory culture by fostering an
10 environment where certain racial perspectives are prioritized over
11 objective, merit-based considerations. Racially-motivated hiring policies
12 often have a direct ripple effect on student admissions. It is unrealistic and
13 unreasonable to assume that a university can operate one process in a
14 race-conscious manner while keeping the other race-neutral, as both are
15 fundamentally linked in their goals and execution. Therefore, examining
16 both admissions and hiring practices is essential to providing a holistic
17 assessment of whether a university's policies violate constitutional and
18 statutory protections against racial discrimination.

19 105. UW insists on implementing both “holistic reviews” and a “test-optional”
20 admissions policy. However, this position is inherently contradictory. A
21 review cannot be truly holistic if it deliberately excludes objective
22 measures like standardized tests, especially for STEM applicants where
23 such metrics are crucial for assessing academic preparedness. This

1 decision appears to be a calculated move to compromise intellectual
2 honesty and academic integrity, potentially facilitating the concealment of
3 discriminatory practices against Asian-American applicants. Notably,
4 leading institutions like MIT, Dartmouth, Yale, Brown, Harvard, Caltech,
5 Cornell, and the University of Texas at Austin have reinstated
6 standardized testing, further highlighting the questionable nature of UW's
7 continued "test-optional" policy post-COVID. UW is increasingly isolated in
8 its stance as an "SAT Denier", where they avoid releasing objective data
9 by refusing to comprehensively collect it in the first place. These
10 circumstances necessitate legal scrutiny of UW's policy, its underlying
11 motivations, its disparate impact on Asian-American applicants, and
12 whether UW continues to merit the traditional judicial deference granted to
13 bona fide academic institutions.

14 106. Similar to the 'unstated Affirmative Action' approach advocated by Mr.
15 Chemerinsky at UC, UW implemented this practice by re-ranking
16 candidates based on race while maintaining an appearance of neutrality.
17 In 2023, the UW psychology department's hiring committee [re-ranked](#)
18 finalists to prioritize hiring a Black candidate over a white and an Asian
19 candidate who were originally ranked first and second, respectively. UW's
20 [report](#) concluded that "race was used as a substantial factor in the
21 selection of the final candidate and the hiring process." The report, which
22 redacts all the names of those involved, suggests that faculty members
23 tried to hide the extent to which race was considered, including in the

1 hiring report. "I advise deleting the statement below as it shows that URM
2 [underrepresented minority] applications were singled out and evaluated
3 differently than non-URM applications (which is not allowed as [redacted]
4 noted)," one email read, according to the report. "My inclination is to hold
5 these meetings only for POC [People of Color] candidates. I'm also
6 mindful that our Provost is now getting anxious about anything that's
7 directed to only some identity groups (i.e., they are getting worried about
8 fallout from the pending Supreme Court affirmative action rulings)," a
9 person wrote in an email. "My read is that they'll get fearful of litigation and
10 overcorrect into colorblindness. Maybe our committee can preemptively
11 think our way around this type of future directive," the faculty member
12 wrote. (See [Exhibit 53](#).) This case provides a concrete example of how
13 UW prioritized race in hiring, in clear violation of the law. The incident only
14 came to light probably due to a public records request from an external
15 group. Given the pervasive culture of racial preference, it is reasonable to
16 infer that this was not an isolated occurrence.

17 107. Until June 30, 2023, UW required diversity statements in faculty hiring
18 and promotions. Under this system, even a Nobel Prize winner might not
19 be considered if they prioritized academic research over diversity
20 initiatives.

21 108. Given that UW is or was not conducting itself as a bona fide academic
22 institution for student admissions or faculty hiring, any traditional judicial

1 deference afforded to academic institutions should not apply in lawsuits
2 concerning student admissions or faculty hiring at UW.

3 109. According to the 2020 U.S. Census, Washington's Asian population
4 grew by 51.9% over the prior decade, making it the fastest-growing ethnic
5 group in the state. The Asian population increased from 7.2% of the total
6 population in 2010 to 9.5% in 2020 (See [Exhibit 54](#)). Similarly, Asian
7 American Pacific Islander Vote (AAPIV) estimated that the AAPI voter pool
8 in Washington grew by 54% from 2010 to 2020. This compares to a 16%
9 change for the statewide eligible voting population over the same period
10 (See [Exhibit 54](#) as well). Given this trend, it is reasonable to infer that the
11 Asian population in Washington has continued to grow at a similar rate
12 beyond 2020.

13 110. Despite this demographic shift, Asian enrollment at the University of
14 Washington has declined in recent years. In 2013, UW's freshman class of
15 6,255 included 1,794 Asian American students, comprising 28.7% of the
16 class (See [Exhibit 55](#)). However, by 2024, Asians accounted for only 23%
17 of UW's total enrollment (See [Exhibit 56](#)). Notably, UW's 2024 entering
18 class profile omitted any mention of Asian enrollment, raising questions
19 about the university's transparency and potential suppression of Asian
20 enrollment (See [Exhibit 57](#)).

21 111. The gap between Asian population growth and admission rates
22 strongly suggests systemic discrimination. As the Court explained in *Reno*

1 *v. Bossier Parish School Board*, 520 U.S. 471, 487 (1997), the natural
2 consequences of an action often provide probative evidence of intent.
3 Here, the persistent adverse impact on Asian-American applicants
4 indicates a racially motivated policy, despite UW's denials.

5 112. UW does not publish SAT scores in its admissions data. If available, it
6 would help assess whether rejecting Stanley—who scored 1590—was
7 reasonable.

8 113. UW does not publish the number of National Merit Finalists in its
9 admissions data. If available, it would help assess whether rejecting
10 Stanley—a National Merit Finalist—was reasonable.

11 114. Plaintiffs intend to analyze and compare the qualifications of admitted
12 and rejected applicants across racial groups during the discovery phase of
13 this lawsuit to further assess whether UW's admissions policies result in
14 unlawful racial discrimination.

15 115. In response to SB 5228 in 2021, the UW Medical School established
16 the Incentive Scholarships program. In 2023, all recipients of these
17 scholarships identified as URiM (underrepresented in medicine) (See
18 [Exhibit 58](#)). If these awards were granted based on race rather than
19 factors such as merit or socioeconomic status, it raises concerns that UW
20 prioritizes superficial diversity metrics over genuine social justice.
21 Furthermore, this practice may be in violation of RCW 49.60.400, which

1 prohibits discrimination and preferential treatment based on race in public
2 education.

3 116. The argument that Asian-Americans are over-represented in UW's
4 student body relative to the general population does not negate claims of
5 discrimination. Equal protection requires that individuals be treated as
6 individuals, not as members of a racial class. See *Miller v. Johnson*, 515
7 U.S. 900, 911 (1995). Even if aggregate Asian enrollment remains
8 relatively high, systemic bias may suppress their numbers below what
9 they would be in a race-neutral system. "[I]nvidious discrimination does
10 not become less so because the discrimination accomplished is of a
11 lesser magnitude." See *Personnel Administrator of Massachusetts v.*
12 *Feeney*, 442 U.S. 256, 277 (1979).

13 117. The Second Circuit's 2024 decision in *Chinese American Citizens*
14 *Alliance of Greater New York (CACAGNY) v. Adams* supports this case.
15 The court held that a facially neutral policy driven by racial motives
16 violates equal protection, even if aggregate enrollment improves. The
17 ruling states "if discriminatory intent is proven, a negative effect or harm
18 from that discriminatory policy on individual Asian-American students
19 applying to the SHSs [Specialized High Schools] would be sufficient to
20 trigger strict scrutiny review". The court further held that a policy or a
21 program "is not immunized from strict scrutiny because it underperforms in
22 an unconstitutional mission with respect to a targeted racial group in the
23 aggregate." Therefore, university policies aiming to suppress Asian

1 enrollment—whether or not Asian Americans are over-represented—are
2 subject to strict scrutiny and won't survive it.

3 118. Moreover, *CACAGNY* rejected the defense that admitting students to
4 any school within a system negates discrimination claims. The Second
5 Circuit Court stated that denying a student access to their preferred
6 institution due to race is actionable. Similarly, admitting Asian-American
7 students to less selective UW campuses does not absolve more selective
8 campuses from discrimination claims.

9 119. In *CACAGNY*, the Second Circuit Court stated that “Applying Supreme
10 Court precedent, we have generally recognized three types of
11 discriminatory laws: (1) a facially discriminatory law or policy that
12 expressly classifies individuals on the basis of race; (2) a facially neutral
13 law that is enforced in a discriminatory fashion; and (3) a facially neutral
14 law that was adopted with discriminatory intent and resulted in a
15 discriminatory effect. *See Chabad Lubavitch of Litchfield Cnty., Inc. v.*
16 *Litchfield Hist. Dist. Comm’n*, 768 F.3d 183, 199 (2d Cir. 2014).”

17 120. In this case, at least two types of discriminatory policies and practices
18 identified by the Second Circuit Court are evident:

19 a. **Discriminatory enforcement:** UW’s absurd and incongruous
20 admission outcomes strongly indicate that UW exercises its
21 admissions policies in a discriminatory fashion.

1 b. **Discriminatory intent and effect:** The pervasive culture of
2 "unstated affirmative action" at universities underscores
3 discriminatory intent, with substantial evidence of its adverse
4 impact on Asian-American applicants, both individually and
5 collectively.

6 These actions constitute violations of the Equal Protection Clause of the
7 Fourteenth Amendment, Title VI of the Civil Rights Act of 1964, and RCW
8 49.60.400.

9 **F. UW Ignoring Complaints**

10 121. UW officials have ignored complaints about questionable admissions
11 outcomes and allegations of racial discrimination, reflecting a broader lack
12 of transparency and accountability in their admissions process. On
13 January 26, 2025, Nan contacted the UW Board of Regents and President
14 Ana Mari Cauce regarding Stanley's admission results, requesting an
15 investigation. As of this filing, they have not responded.

16 122. This mirrors the University of California's prolonged refusal to engage
17 with Nan, who sought dialogue for over a year before filing a lawsuit
18 against UC and the U.S. Department of Education on February 11, 2025,
19 in the U.S. District Court for the Eastern District of California (Case No.
20 2:25-cv-0495 DJC CSK).

1 123. The denial of Stanley’s application to UW—combined with UW’s
2 complete failure to even acknowledge the issue—cannot be dismissed as
3 mere random error. Rather, these actions reveal a pattern of systemic bias
4 and deliberate indifference, suggesting malice toward Stanley and, by
5 extension, other similarly situated Asian-American applicants. While it is
6 true that Google’s job offer came after UW’s rejections—meaning UW
7 could not have foreseen that Google would recognize Stanley’s skills had
8 already reached the Ph.D. level—the fundamental issue remains: the
9 technical achievements included in Stanley’s UW applications were
10 substantially the same as those sent to Google. While Google found
11 Stanley’s achievements sufficient to consider him for a Ph.D.-level
12 position, UW, in contrast, deemed him unqualified for undergraduate
13 admission. This stark contrast underscores a systemic barrier that
14 profoundly affects Asian-American applicants’ experiences in college
15 admissions. Even when their qualifications reach the Ph.D. level, they may
16 still be denied undergraduate admission. This fosters a pervasive sense of
17 helplessness—the belief that the system is rigged to reject you regardless
18 of your merits—that contributes significantly to the mental health
19 challenges within the Asian-American youth community.

20 124. This case echoes the dark legacy of the Chinese Exclusion Act of
21 1882—a shameful chapter in our nation’s history for which Congress
22 formally apologized in June 2012. Disturbingly, as of the filing of this
23 lawsuit—after UW became aware of Google’s assessment of Stanley’s

1 skills—UW still refuses to engage in any meaningful discussion about his
2 applications, which only compounded the emotional distress Stanley and
3 Nan have endured.

4 **G. Lack of Response by Government Officials**

5 125. Stanley's mother filed a civil rights complaint with the Office for Civil
6 Rights (OCR) at the U.S. Department of Education. However, the OCR
7 dismissed the case after misinterpreting her email, relying on reasoning
8 that directly contradicted her intended meaning. When she pointed out the
9 misunderstanding, the OCR refused to reopen the case, stating it had
10 been closed. The official dismissal letter cited a rationale the OCR knew to
11 be false. Despite her repeated requests to correct the letter and remove
12 the inaccurate reasoning, the OCR declined to make any changes, even
13 after she escalated the matter. (For the full record of email exchanges with
14 the OCR, see Exhibit 75 in case 2:25-cv-0495 DJC CSK in the U.S.
15 District Court for the Eastern District of California.) OCR's failure to
16 enforce civil rights laws has let the direct harm to Stanley and other
17 Asian-American applicants persist.

18 126. Nan also raised his concerns with California Assemblymember Marc
19 Berman, mentioning that hundreds of his constituents were deeply
20 concerned about UC's admissions practices. Despite several email
21 exchanges, Mr. Berman did not respond substantively. (For the full record
22 of email exchanges with Mr. Berman and his staff, see Exhibit 76 in case

1 2:25-cv-0495 DJC CSK in the U.S. District Court for the Eastern District of
2 California.)

3 127. In November 2023, Nan organized a petition that gathered over 4,000
4 endorsements for letters expressing concerns about UC admissions.
5 These letters were sent to Governor Gavin Newsom and Lt. Governor
6 Eleni Kounalakis, both of whom serve as ex officio Regents of the
7 University of California. Neither replied. (For the letters, see Exhibit 77 and
8 Exhibit 78 in case 2:25-cv-0495 DJC CSK in the U.S. District Court for the
9 Eastern District of California.)

10 128. Since Plaintiffs were unable to get government officials to engage in
11 California, where they are residents and taxpayers, they have little reason
12 to expect assistance from officials in Washington. As a result, litigation
13 remains the only viable option.

14 **H. Legal Basis**

15 129. The Supreme Court's decision in *SFFA. v. Harvard* unequivocally
16 established that racial discrimination in college admissions is
17 unconstitutional.

18 130. UW's racial discriminatory admission policies and practices violate the
19 Equal Protection Clause of the Fourteenth Amendment to the United
20 States Constitution.

1 131. UW's racial discriminatory admissions policies and practices also
2 violate Title VI of the Civil Rights Act of 1964, which prohibits racial
3 discrimination in programs receiving federal financial assistance.

4 132. UW's racial discriminatory admissions policies and practices also
5 violate RCW 49.60.400, which expressly forbids racial discrimination in
6 public education.

7 133. In addition to direct evidence of discrimination, racial "prejudice or
8 stereotype" may be proven through circumstantial evidence. See *Village of*
9 *Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S.
10 252, 266 (1977).

11 134. Further supporting this claim, the Second Circuit Court of Appeals, in
12 *Chinese American Citizens Alliance of Greater New York (CACAGNY) v.*
13 *Adams*, 116 F.4th 161 (2d Cir. 2024), unanimously affirmed that an equal
14 protection claim may proceed if "any individual has been negatively
15 affected or harmed by a discriminatory law or policy based on race, even if
16 there is no disparate impact on members of that racial class in the
17 aggregate." Under the principle of *stare decisis*, this ruling provides
18 persuasive authority for the present lawsuit.

1 V. CLAIMS FOR RELIEF

2 COUNT I - Violation of the Fourteenth Amendment (Equal Protection
3 Clause)

4 135. Plaintiffs reallege and incorporate by reference the allegations set forth
5 above.

6 136. Defendant's admissions policies and practices violate the Equal
7 Protection Clause of the Fourteenth Amendment by discriminating against
8 Asian-American applicants, including Stanley, on the basis of race.

9 137. As a result of Defendant's discriminatory policies and practices,
10 Plaintiffs have suffered harm, including the loss of educational
11 opportunities, emotional distress, and reputational damage.

12 138. Plaintiffs have been and will continue to be injured by Defendant's
13 ongoing discriminatory admissions policies, which deny them an equal
14 opportunity to compete for admission based on race or ethnicity.

15 139. Plaintiffs are entitled to a declaratory judgment, pursuant to 28 U.S.C.
16 §2201, and a permanent injunction because there is no plain, adequate, or
17 speedy remedy at law to prevent Defendant from continuing to use
18 admissions policies and practices that discriminate on the basis of race or
19 ethnicity in violation of the Fourteenth Amendment and because the harm
20 Plaintiffs will otherwise continue to suffer is irreparable.

**1 COUNT II - Violation of Title VI of the Civil Rights Act of 1964 (42 U.S.C. §
2 2000d)**

3 140. Plaintiffs reallege and incorporate by reference the allegations set forth
4 above.

5 141. Defendant receives federal financial assistance and is therefore
6 subject to Title VI of the Civil Rights Act of 1964, which prohibits
7 discrimination on the basis of race, color, or national origin in any program
8 or activity receiving federal financial assistance. Defendant's admissions
9 policies and practices discriminate against Asian-American applicants,
10 including Stanley, in violation of Title VI.

11 142. As a result of Defendant's discriminatory policies and practices,
12 Plaintiffs have suffered harm, including the loss of educational
13 opportunities, emotional distress, and reputational damage.

14 143. Plaintiffs have been and will continue to be injured by Defendant's
15 ongoing discriminatory admissions policies, which deny them an equal
16 opportunity to compete for admission based on race or ethnicity.

17 144. Plaintiffs are entitled to a declaratory judgment, pursuant to 28 U.S.C.
18 §2201, and a permanent injunction because there is no plain, adequate, or
19 speedy remedy at law to prevent Defendant from continuing to use
20 admissions policies and practices that discriminate on the basis of race or

1 ethnicity in violation of Title VI of the Civil Rights Act of 1964 and because
2 the harm Plaintiffs will otherwise continue to suffer is irreparable.

3 **COUNT III - Violation of RCW 49.60.400**

4 145. Plaintiffs reallege and incorporate by reference the allegations set forth
5 above.

6 146. RCW 49.60.400 prohibits racial discrimination in public education.
7 Defendant's discriminatory admissions policies and practices violate this
8 provision by denying Asian-American applicants, including Stanley, equal
9 access to public educational opportunities.

10 147. As a result of Defendant's discriminatory policies and practices,
11 Plaintiffs have suffered harm, including the loss of educational
12 opportunities, emotional distress, and reputational damage.

13 148. Plaintiffs have been and will continue to be injured by Defendant's
14 ongoing discriminatory admissions policies, which deny them an equal
15 opportunity to compete for admission based on race or ethnicity.

16 149. Plaintiffs are entitled to a declaratory judgment, pursuant to 28 U.S.C.
17 §2201, and a permanent injunction because there is no plain, adequate, or
18 speedy remedy at law to prevent Defendant from continuing to use
19 admissions policies and practices that discriminate on the basis of race or
20 ethnicity in violation of RCW 49.60.400 and because the harm Plaintiffs
21 will otherwise continue to suffer is irreparable.

1 VI. PRAYER FOR RELIEF

2 WHEREFORE, Plaintiffs, Stanley, Nan and SWORD, on behalf of its members
3 and all others similarly situated, respectfully request that this Court:

4 150. Declare UW's Admissions Practices Unconstitutional

5 a. Declare that Defendant's student admissions policies and practices

6 violate:

7 i. The Fourteenth Amendment to the U.S. Constitution,

8 ii. Title VI of the Civil Rights Act of 1964, and

9 iii. RCW 49.60.400 (Initiative 200).

10 b. Enjoin Defendant from engaging in racially discriminatory

11 admissions and hiring practices, and order it to take all necessary

12 steps to eliminate the effects of past discrimination.

13 151. Mandate Institutional Reforms & Accountability Measures at UW

14 a. Issue an injunction requiring Defendant to issue a formal public

15 apology to Asian-American applicants.

16 b. Issue an injunction requiring Defendant to dismiss, after a full and

17 fair public hearing, all Admissions Directors and other

18 administrators responsible for the admission cycles that are

19 determined to be racially discriminatory since 1998.

20 c. Issue an injunction requiring Defendant to dismiss, after a full and

21 fair public hearing, all administrators who knowingly defend this

22 lawsuit while being aware of racial preferences in admissions or

23 hiring.

- d. Issue an injunction requiring Defendant to dismiss, after a full and fair public hearing, all administrators who knowingly certified compliance with federal anti-discrimination laws while being aware of racial preferences in admissions or hiring.
- e. Refer individuals who knowingly made false certifications under penalty of perjury for criminal prosecution.

152. Mandate Oversight & Transparency in Admissions at UW

- a. Issue a permanent injunction requiring Defendant to establish an independent admissions oversight board, approved by this Court, with sole authority over the hiring and firing of Admissions Directors at each UW campus.
- b. Issue a permanent injunction requiring Defendant to fund recurring independent audits of its admissions process, approved by this Court, including a breakdown of accepted and rejected applicants' qualifications by racial group.
- c. Issue a permanent injunction requiring Defendant to implement admissions procedures that prevent personnel from accessing or inferring an applicant's race or ethnicity.
- d. Issue a permanent injunction requiring Defendant to implement hiring procedures that prevent personnel from accessing or inferring a candidate's race or ethnicity.
- e. Require Defendant to repeat its admission process independently on a small group of randomly chosen applicants for each admission

1 cycle in order to demonstrate repeatability and self-consistency in
2 admissions decisions.

3 153. Require Mandatory Training & Compliance Measures at UW

4 a. Require annual Initiative 200 training for all UW personnel involved
5 in admissions or hiring.

6 b. Require all trained personnel to explicitly acknowledge that violating
7 Initiative 200 or failing to report violations may result in disciplinary
8 action, including termination.

9 154. Declare Judicial Scrutiny of UW's Academic Policies

10 a. Declare that Defendant should no longer receive traditional judicial
11 deference as a bona fide academic institution unless it:

12 i. Collects standardized test scores from all applicants in its
13 admission process,

14 ii. Ceases prioritizing immutable characteristics over academic
15 merit in admissions and hiring.

16 155. Award Monetary Damages & Attorney's Fees

17 a. Award nominal, compensatory, and punitive damages to Plaintiffs.

18 b. Award reasonable attorneys' fees and costs incurred in this action.

19 c. Grant such other and further relief as this Court deems just and
20 proper.

21

1 **VII. JURY DEMAND**

2 Pursuant to the Seventh Amendment to the United States Constitution and Rule
3 38 of the Federal Rules of Civil Procedure, Plaintiffs hereby demand a trial by
4 jury on all issues so triable.

5 _____

6 I declare under penalty of perjury that the allegations in the complaint are true.

7 Respectfully submitted,

8 

9 Stanley Zhong (Pro Se)

10 211 Hope St #390755

11 Mountain View, CA 94039

12

13 

14 Nan Zhong (Pro Se)

15 Individually and as President of SWORD

16 211 Hope St #390755

17 Mountain View, CA 94039

18 nanzhong1@gmail.com

19 **Dated:** February 17, 2025